

How does the new crane regulation affect how we operate Brodersons here?

Two regulatory streams that affect us in this regard:
CAL/OSHA



GENERAL INDUSTRY
The older Rule

§5006.1. Mobile Crane and Tower Crane-Operator Qualifications and Certification.

(a) Qualifications. The employer shall only permit operators who have a valid certificate of competency (certificate) issued in accordance with this section by an Accredited Certifying Entity for the type of crane to be used to operate a crane covered by this section.

EXCEPTIONS TO SECTION 5006.1:

(1) Mobile cranes having a boom length of less than 25 feet or a maximum rated load capacity of less than 15,000 pounds.

(So, our 8.5 ton Brodersons were de-rated to 7.45 ton to fit within the exception so Flex Operators can operate it).

CONSTRUCTION
The newly revised Rule

§1618.1. Operator Qualification and Certification.

(1) Qualifications. The employer shall only permit operators who have a valid certificate of competency (certificate) issued in accordance with this section by an Accredited Certifying Entity for the type of crane to be used to operate a crane covered by this section.

(no comparable exception)

(e) Effective Dates and Phase-in.
(1) Mobile and tower crane operator qualifications and certification shall be in accordance with the provisions of General Industry Safety Orders, Section 5006.1 effective June 1, 2005, until July 7, 2015.

So, what's GENERAL INDUSTRY and what's CONSTRUCTION?

(GENERAL INDUSTRY is often also referred to as MAINTENANCE but OSHA doesn't really define either).

§1926.32. Definitions.

(g) Construction work. For purposes of this section, construction work means work for construction, alteration and/or repair, including painting and decorating.

After much thought and interpretative effort CBU landed on the following interpretive decision of the vague OSHA distinctions:

FS 590. 3.0 Definitions

Qualified Crane Operator: an experienced person authorized and trained by the Employer in the safe operation of mobile cranes;
May operate cranes with a lifting capacity of 2,000 pounds (1 Ton) and less for construction type activities (see CSO).
May operate cranes with a lifting capacity of less than 15,000 pounds and a maximum main boom length of 25 feet for General Industry type work (see GISO).

GISO: General Industry Safety Orders; refers to the Cal/OSHA regulations outlined in Title 8, subchapter 7, Group 13. This regulation shall be followed for routine maintenance lifts.

Routine Maintenance Lift: A lift with a mobile crane for tasks covered in general expense category 100 (exception non-standard events). Generally the task will be replacement in kind or repairs.

FS 590. 3.0 Definitions

Certified Crane Operator: Is a person holding a valid certificate of competency issued by an accredited certifying entity. A Power Lift Truck (fork lift) with a boom attachment lifting with a hoist or hook requires a certified Crane Operator

Construction (CBU): Capitol projects, Capital Improvements, Turnarounds (TAR) and non standard events.

Construction lift: a lift using a crane over 2,000 pounds rated capacity during capitol projects, capital improvements ,turnarounds and non-standard events executed by certified BP and/or contract crane operators.

Note: BP Flex Crane Operators

BP qualified flex crane operators may continue to operate the 4 ton & 7.45 ton Broderson cranes while performing lifts until the Cal OSHA construction regulation grace period ends on July 7, 2015. After July 7, 2015 the BP flex crane Operators must meet the definitions of Qualified Crane Operator or Certified Crane Operator as distinguished above.